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August 2, 2024

VIA CM/ECF

Hon. Jessica G.L. Clarke
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 1040
New York, New York 10007

Re: Alfonso Tenezaca et al. v. 808 Lex Restaurant, LLC et al.
Civil Action No.: 1:23-cv-08545

Dear Judge Clarke:

This firm represents the Defendants, 808 Lex Restaurant, LLC d/b/a Il Gradino Restaurant, Terrence Lowenberg, and Todd Cohen (collectively, “Defendants”) in the above-referenced matter. We write, jointly with Plaintiffs’ counsel, pursuant to Rule 3(d) of Your Honor’s Individual Rules and Practices in Civil Cases. On July 31, 2024, the Parties met for one-hour to discuss settlement. The Parties made significant progress and intend to confer next week to either continue informal settlement discussions or agree to private mediation. The Parties are not yet ready to proceed with mediation.

Additionally, the Parties propose the following briefing schedule for Plaintiffs’ motion for class certification pursuant to Fed. R. Civ. P. 23: (1) Plaintiffs will file their motion papers on August 7, 2024; (2) Defendants will file their opposition brief on August 28, 2024; and (3) Plaintiffs will file their reply brief on September 9, 2024.

We thank Your Honor for consideration of this request.

Respectfully submitted,
Kaufman Dolowich LLP


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